

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION  
CRIMINAL MINUTES – SENTENCING HEARING**

Case No.: 1:18CR00024-001, 002, 003

Date: 10/16/2019

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**Defendant:** Michael Anthony Wilson / Custody  
Christylen Elijah Sumpter / Custody  
Perla Isel Pineda-Osorio / Custody

**Counsel:** Brian J. Beck, AFPD / Appointed  
Helen E. Phillips / Appointed  
Gregory M. Stewart / Appointed

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PRESENT: JUDGE: James P. Jones, USDJ  
Deputy Clerk: Lottie Lunsford  
Court Reporter: Donna Prather, OCR  
U. S. Attorney: Randy Ramseyer  
USPO: Jeremy Keller  
Case Agent: Melvin Taylor  
Interpreter: N/A

Time In Court – all defendants 3:53-4:24 p. m. (31 minutes)

**LIST OF WITNESSES**

**GOVERNMENT:**

1. Jody Lee Jackson
2. Donna Janney

**DEFENDANT:**

- 1.
- 2.

**PROCEEDINGS:**

Government will not dismiss Count 2 as to defendants as represented in the plea agreements based on the defendants refusal to testify.

No Objections to Presentence Report.

Government presents evidence.

Court adopts Presentence Report.

**SENTENCE IMPOSED AS FOLLOWS:**

Sentencing taken up separately.

4:48 – 5:20 p. m. (32 minutes) - Michael Anthony Wilson

Court addresses the Government as to guilty plea, the government asserts that the defendant in material breach of the plea agreement re: his refusal to testify and will not seek a reduction for acceptance of responsibility and will also decline to dismiss Count 2 as agreed in the plea agreement.  
The Court will determine the guideline range.

Allocutions

Court imposes a sentence above the guideline range as stated.

CBOP: 1,3,4 of Superseding Indictment - Michael Anthony Wilson: One hundred forty-four (144) months, consisting of 144 months on Count 1, 120 months on Count 3 and 60 months on Count 4, all terms to run concurrently.

SR: Three (3) years, consisting of the same term on each count to run concurrently.

SA: \$300.00

Fine: Waived

REST: N/A

Court recommends as follows:

That Defendant receive appropriate mental health treatment and residential drug treatment while imprisoned.

That Defendant be designated to a facility for which he qualifies closest to Miami FL in order to facilitate visits with family members.

#### SPECIAL CONDITIONS OF SUPERVISION

Must pay any monetary penalty that is imposed by this judgment in the manner directed by the court;

Must reside in a residence free of firearms, ammunition, destructive devices, and dangerous weapons;

Must submit to warrantless search and seizure of person and property by the probation officer or other law enforcement officer, whenever such officer has reasonable suspicion that the defendant is engaged in criminal activity;

Following release from imprisonment, the court will evaluate defendant's status and determine whether, after incarceration, drug rehabilitation is necessary and appropriate. If additional rehabilitation is deemed appropriate, the defendant must participate in a program as designated by the court, upon consultation with the probation officer, until such time as the defendant has satisfied all the requirements of the program; and

Must participate in a program of mental health treatment, as approved by the probation officer, until such time as the defendant has satisfied all requirements of the program.

5:26-5:52 p. m. (26 minutes) Christylen Elijah Sumpter

Court addresses the Government as to guilty plea, the government asserts that the defendant in material breach of the plea agreement re: his refusal to testify and the government will not seek a reduction for acceptance of responsibility and will also decline to dismiss Court 2 as agreed in the plea agreement.

Argument heard. The Court will determine the guideline range.

#### Allocutions

CBOP: 1,3,4 of Superseding Indictment - Christylen Elijah Sumpter: Two hundred forty (240) months. This term consists of 240 months on Count 1, 120 months on Count 3 and 60 months on Count 4, all to be served concurrently.

SR: Three (3) years, consisting of the same term on each count to run concurrently.

SA: \$300.00

Fine: Waived

REST: N/A

Court recommends as follows:

That Defendant receive appropriate mental health treatment and participate in the residential drug treatment while imprisoned.

That Defendant be designated to a facility for which he qualifies closest to Sarasota, FL in order to facilitate visits with family members.

#### SPECIAL CONDITIONS OF SUPERVISION

Must pay any monetary penalty that is imposed by this judgment in the manner directed by the court;

Must reside in a residence free of firearms, ammunition, destructive devices, and dangerous weapons;

Must submit to warrantless search and seizure of person and property by the probation officer or other law enforcement officer, whenever such officer has reasonable suspicion that the defendant is engaged in criminal activity;

Following release from imprisonment, the court will evaluate defendant's status and determine whether, after incarceration, drug rehabilitation is necessary and appropriate. If additional rehabilitation is deemed appropriate, the defendant must participate in a program as designated by the court, upon consultation with the probation officer, until such time as the defendant has satisfied all the requirements of the program; and

Must participate in a program of mental health treatment, as approved by the probation officer, until such time as the defendant has satisfied all requirements of the program.

5:57-6:41 p. m. (44 minutes) Perla Isel Pineda-Osorio

Court addresses the Government as to guilty plea, the government asserts that the defendant is in material breach of The plea agreement re: her refusal to testify and will not seek a reduction for acceptance of responsibility and will also decline to dismiss Count 2 as agreed in the plea agreement. Argument heard. The Court will determine the guideline range.

Defense Witnesses: Patricia Lara  
Allocutions

CBOP: 1,3,4 of Superseding Indictment - Perla Isel Pineda-Osorio: Thirty-three (33) months, consisting of the same term on each count, to be served concurrently.

Supervised Release: Three (3) years, consisting of the same term on each count to run concurrently.

Special Assessment: \$300.00

FINE: Waived.

REST: N/A

Court recommends as follows:

That Defendant receive appropriate mental health treatment and participate in the residential drug treatment while imprisoned.

That Defendant be designated to a facility for which she qualifies closest to Sarasota, FL in order to facilitate visits with family members.

#### SPECIAL CONDITIONS OF SUPERVISION

Must pay any monetary penalty that is imposed by this judgment in the manner directed by the court;

Must reside in a residence free of firearms, ammunition, destructive devices, and dangerous weapons;

Must submit to warrantless search and seizure of person and property by the probation officer or other law enforcement officer, whenever such officer has reasonable suspicion that the defendant is engaged in criminal activity;

Following release from imprisonment, the court will evaluate defendant's status and determine whether, after incarceration, drug rehabilitation is necessary and appropriate. If additional rehabilitation is deemed appropriate, the defendant must participate in a program as designated by the court, upon consultation with the probation officer, until such time as the defendant has satisfied all the requirements of the program; and

Must participate in a program of mental health treatment, as approved by the probation officer, until such time as the defendant has satisfied all requirements of the program.

Must not have any contact either direct or indirect with co-defendant Michael Anthony Wilson

#### PAYMENT SCHEDULE:

A lump sum payment of \$300.00 for each defendant is due immediately,

Defendants advised of right to appeal.

All Defendants remanded to custody.

#### Additional Information:

Court instructs the government to file a motion as to Count 2.